

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JUSTINA JOHNSON,

Plaintiff,

v.

Case No. 06-14126

HUNDREDFOLD FINANCIAL RECOVERY
SERVICES, INC. and NATIONAL CREDIT
CORPORATION, INC.,

Hon. John Corbett O'Meara

Defendants.

ORDER OF PARTIAL DISMISSAL

On September 19, 2006, Plaintiff filed a complaint in this action alleging violations of the Fair Debt Collection Practices Act and the Michigan Debt Collection Practices Act. Plaintiff does not allege that diversity jurisdiction exists. Although Plaintiff's federal cause of action is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present a claim based on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claim so as to avoid jury confusion. See 28 U.S.C. § 1367(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

Accordingly, IT IS HEREBY ORDERED that Plaintiff's claim under the Michigan Debt Collection Practices Act is DISMISSED.

s/John Corbett O'Meara
United States District Judge

Dated: October 11, 2006

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 11, 2006, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager